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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BEUG *et al.*

Appl. No. 10/086,073

Filing Date: March 1, 2002

For: **Pharmaceutical Compositions for
Treating Tumour Diseases**

Confirmation No: 3217

Art Unit: 1642

Examiner: *To be assigned*

Atty. Docket: 0652.1790001/EKS/BEC

Information Disclosure Statement

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each of these documents is provided.

Document AP1 is in the German language with an English language abstract. The relevance of document AP1 can be ascertained by reference to page 26, lines 23-25, of the application as filed.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

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This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being submitted more than three months after the filing date, but before the first mailing of an Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

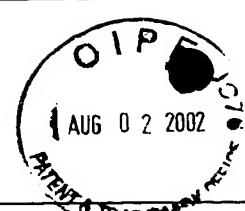
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Date: August 2, 2002

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| FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT | | ATTY. DOCKET NO. 0652.1790001/EKS/BEC | APPLICATION NO. 10/086,073 |
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| | AL1 | WO 91/19513 A1 | 12/26/1991 | WIPO | | | Yes No |
| | AM1 | EP 0 604 181 A1 | 06/29/1994 | Europe | | | Yes No |
| | AN1 | WO 94/25588 A2 | 11/10/1994 | WIPO | | | Yes No |
| | AO1 | WO 95/19987 A1 | 07/27/1995 | WIPO | | | Yes No |
| | AP1 | WO 96/07657 A1 | 03/14/1996 | WIPO | | | Yes No |

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| AS | 1 | Antonelli-Orlidge, A., et al., "An activated form of transforming growth factor β is produced by cocultures of endothelial cells and pericytes," <i>Proc. Natl. Acad. Sci. USA</i> 86:4544-4548, National Academy Press (1989) |
| AT | 1 | Beham, A., et al., "Distribution of cytokeratins, vimentin and desmoplakins in normal renal tissue, renal cell carcinomas and oncocytoma as revealed by immunofluorescence microscopy," <i>Virchows Archiv. A Pathol. Anat.</i> 421:209-215, Springer-Verlag (1992) |

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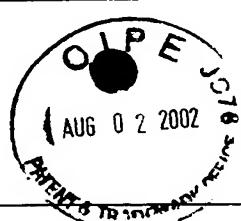
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| | AS | 2 | Buchmann, A., et al., "Progression of Squamous Carcinoma Cells to Spindle Carcinomas of Mouse Skin Is Associated with an Imbalance of H-ras Alleles on Chromosome 7," <i>Cancer Res.</i> 51:4097-4101, American Association for Cancer Research (1991) |
| | AT | 2 | Castle, V., et al., "Antisense-mediated Reduction in Thrombospondin Reverses the Malignant Phenotype of a Human Squamous Carcinoma," <i>J. Clin. Invest.</i> 87:1883-1888, American Society for Clinical Investigation (1991) |

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| AS | 4 | Fakhrai, H., et al., "Eradication of established intracranial rat gliomas by transforming growth factor β antisense gene therapy," Proc. Natl. Acad. Sci. USA 93:2909-2914, National Academy Press (April 1996) |
| AT | 4 | Furth, M.E., et al., "Monoclonal Antibodies to the p21 Products of the Transforming Gene of Harvey Murine Sarcoma Virus and of the Cellular ras Gene Family," J. Virol. 43:294-304, American Society for Microbiology (1982) |

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| AS | 7 | Keski-Oja, J., et al., "Transforming Growth Factors and Control of Neoplastic Cell Growth," <i>J. Cell. Biochem.</i> 33:95-107, Alan R. Liss, Inc. (1987) |
| AT | 7 | Kim, S.-J., et al., "Promoter Sequences of the Human Transforming Growth Factor- β 1 Gene Responsive to Transforming Growth Factor- β 1 Autoinduction," <i>J. Biol. Chem.</i> 264:7041-7045, American Society for Biochemistry and Molecular Biology, Inc. (1989) |

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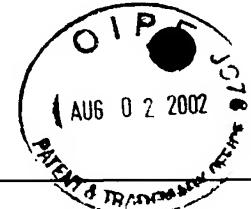
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| FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u> | | ATTY. DOCKET NO. 0652.1790001/EKS/BEC | | APPLICATION NO. 10/086,073 | |
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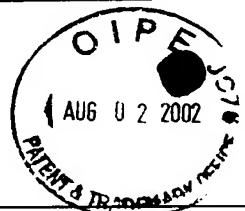
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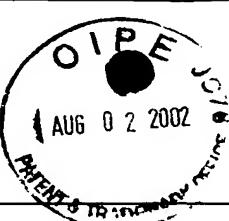
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Sterne Kessler Goldstein Fox



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Washington, D.C. 20231

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August 2, 2002

WRITER'S DIRECT NUMBER:
(202) 371-2630

INTERNET ADDRESS:
behalker@skgf.com

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Re: U.S. Utility Patent Application
Appl. No. 10/086,073; filed March 1, 2002
For: **Pharmaceutical Compositions for Treating Tumour Diseases**
Inventors: Beug *et al.*
Our Ref: 0652.1790001/EKS/BEC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449 (19 sheets) and accompanying (62) references; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
August 2, 2002
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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